

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
(WESTERN DIVISION)

BERNARD FIDEL, <i>et al.</i> , On Behalf of Themselves)	
and All Others Similarly Situated,)	
)	Lead Case No. C-1-00-320
)	(Consolidated With No. C-1-00-349)
Plaintiffs,)	
)	Judge Herman J. Weber
vs.)	
)	
AK STEEL HOLDING CORPORATION, <i>et al.</i> ,)	
)	
Defendants.)	
)	

**JOINT MOTION OF PLAINTIFFS AND DEFENDANTS
FOR CERTIFICATION OF A SETTLEMENT CLASS,
PRELIMINARY APPROVAL OF SETTLEMENT,
APPROVAL OF FORM AND METHOD OF NOTICE,
AND THE SETTING OF A FINAL HEARING**

Having achieved a fair, reasonable and adequate settlement of this matter, the Representative Plaintiff and Defendants jointly move the Court for the entry of the [Proposed] Order Preliminarily Approving Settlement and Providing for Notice pursuant to Federal Rules of Civil Procedure 23(a), 23(b)(3) and 23(e). The Order

1. certifies the class, as defined in the Stipulation of Settlement, for settlement purposes only (the "Class");
2. preliminarily approves the terms of the Stipulation of Settlement (the "Stipulation");
3. approves the proposed form and method for providing notice to the Class; and
4. sets a final hearing ("Final Hearing") at which the Representative Plaintiff will request final approval of the proposed Settlement and for the entry of a Final Judgment and Order of Dismissal with Prejudice, approval of the Plan of Allocation of Settlement Proceeds and approval of Lead Counsels' request for an award of attorneys' fees and expenses.

A copy of the Stipulation of Settlement is attached hereto. A proposed form of order preliminarily approving settlement and providing for notice is attached to this Stipulation as Exhibit A. Also, attached as Exhibits to the Stipulation are: (1) the proposed Notice of Pendency and Proposed Settlement of Class Action as Exhibit A-1; (2) the proposed Proof of Claim and Release as Exhibit A-2; (3) the proposed Summary Notice for publication as Exhibit A-3; and (4) the proposed Final Judgment and Order of Dismissal with Prejudice as Exhibit B.

An original of the [Proposed] Order Preliminarily Approving Settlement and Providing for Notice is being submitted via e-mail for the Court's consideration. The parties propose the following schedule leading to a final approval hearing on notice to the class:

- Notice mailed to class members April 26, 2004
- Summary Notice published May 6, 2004
- Last day for class members to request exclusion from the class or object to the settlement June 4, 2004
- Final Approval Hearing July 9, 2004 at 9:00 a.m.

Dated: March 26, 2004

s/Richard S. Wayne
Richard S. Wayne Attorney Bar Number 0022390
s/William K. Flynn
William K. Flynn Attorney Bar Number 0029536
STRAUSS & TROY
150 East Fourth Street
Cincinnati, OH 45202-4018
Telephone: 513/621-2120
email: *rswayne@strausstroy.com*
email: *wkflynn@strausstroy.com*
Liaison Counsel for Plaintiffs

MILBERG WEISS BERSHAD HYNES
& LERACH LLP

William S. Lerach
Helen J. Hodges
Edward P. Dietrich
Jeffrey D. Light
Scott H. Saham
Tricia L. McCormick
401 B. Street, Suite 1700
San Diego, CA 92101
(619) 231-1058 – phone
(619) 231-7423 – fax
Lead Counsel for Plaintiffs

s/Adam P. Hall
Adam P. Hall Attorney Bar Number (0042128)
(ahall@fbtlaw.com)

FROST BROWN TODD LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, OH 45202-4182
(513) 651-6800 – phone
(513) 651-6981 – fax

WEIL, GOTSHAL & MANGES

s/John A. Neuwirth
s/Joseph S. Allerhand
767 Fifth Avenue
New York, NY 10153-0119
(212) 310-8000 – phone
(212) 310-8007 – fax
*Counsel for all Defendants Except
James F. Will*

JANIK & DORMAN
s/Brian T. McElroy
(brian.mcelroy@janiklaw.com)
9200 South Hill Blvd., Suite 300
Cleveland, OH 44147-3521
(440) 838-7600 – phone
(440) 838-7601 – fax
Counsel for James F. Will

45688.855.426355.1

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been filed electronically with the U.S. District Court; has been sent electronically this 26th day of March, 2004. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. If a party is not given notice electronically through the Court's system a copy will be served by ordinary United States mail, first class postage prepaid, this 26th day of March, 2004.

s/Richard S. Wayne
Richard S. Wayne Attorney Bar Number 0022390